BRUCE TITTEL DONALD F. FREI DAVID J. JOSEPHIC DAVID S. STALLARD J. ROBERT CHAMBERS

J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT I., GROSSMAN
CLEMENT H. LUKEN. JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE I. JACCOBS
KURT A., SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
DAVID H. BRINKMAN
DAVID H. BRINKMAN
BEVERLY A. LYMAN. Ph. D.
BEVERLY A. LYMAN. Ph. D.
BEVERLY A. LYMAN.

BEVERLY A. LYMAN, PH.D.

OF COUNSEL JOHN D. POFFENBERGER THOMAS W. FLYNN

NO. 9009 July J 4 2004

WOOD, HERRON & EVANS, L.L.P.

2700 CAREW TOWER 441 VINE STREET **CINCINNATI, OHIO 45202-2917**

> TELEPHONE: 613-241-2324 FACSIMILE: 513-241-8234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION LAW AND RELATED LITIGATION

EDMUND P. WOOD TRUMAN A. HERRON EDWARD B. EVANS

1923-1968 1935-1976 1936-1971

June 4, 2004

DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR. ISHT POFFENBERGER. JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT. PK.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER

TECHNICAL ADVISORS HENRY M. LABODA, PH.D.

FACSIMILE COVER SHEET

To: **Technology Center**

C. Shuynh

703/872-9306

From: Wesley L. Strickland

WHE File: IBM-166

Serial No.: 09/751,574

(including cover sheet)

MESSAGE/COMMENTS

Attached herewith is the formal Response to Office Action submitted for the above-identified application.

PLEASE DELIVER IMMEDIATELY TO

EXAMINER C. SHUYNH

Enclosures: Facsimile Cover Sheet (1 pg.)

Amendment Transmittal (1 pgs.) Response to Office Action (25 pgs.)

☑ Confirmation copy will NOT follow.

Confirmation copy WILL follow by:

☐ First Class Mail ☐ Federal Express

Courier

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the Intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and rotum the original message to us at the above address via mall. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

Under the Paperwork Reduction Act of 1995	to netsous are tegnited to respond to a collect	had and Tandomadi Affice. 11 A	PTO/SB/21 (02-04 rough 07/31/2006. OMB 0651-003 S. DEPARTMENT OF COMMERCE tolays a valid OMB control number	
(Application Number	09/751,574		
TRANSMITTAL	Filing Date	December 29, 2000	December 29, 2000	
FORM	First Named Inventor	Bates, Carey Lee		
(to be used for all correspondence after initial fi	ing) Art Unit	2178		
	Examiner Name	C. Shuynh		
Total Number of Pages In This Submission	Allomey Dackel Number	IBM-166-273		
ENCLOSURES (Check all that apply)				
Fee Transmittal Form Fee Atlached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Added Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks	ress to Technology Appeal Conference Appeal Conf	closure(s) (please	
Firm Wesley L. Strickland, Esq. or Wood, Hegron & Evans, L.L.	JRE OF APPLICANT, ATTORN	EY, OR AGENT		
Individual name	4 00/			
Signature Nucley 2	tuckle 44,36	63		
Date June 4, 2004				
CE	RTIFICATE OF TRANSMISSION	/MAILING		
I heraby certify that this correspondence is being sufficient postage as first class mail in an envertie date shown below.	or facsimile transmitted to the LICOTO or	donnalized with the 11-ited	States Postal Service with andria, VA 22313-1450 on	
Typed or printed name Linda M. Christman				
Signature Linda	M. Christman	Date	June 4, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application from to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need essistence in completing the form, call 1-800-PTO-9199 and select option 2.